



DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20301

FOUO-67,435/DS-6C3

28 AUG 1973

MEMORANDUM FOR THE CHAIRMAN, SECURITY COMMITTEE, UNITED STATES  
INTELLIGENCE BOARD

SUBJECT: Request for Declassification Review of DCID 1/7

References: a. DoD Directive 5200.15, "Controlling the Dissemination  
and Use of Intelligence and Intelligence Information  
Produced by Members of the Intelligence Community"  
(FOUO) (Enclosure 1).

b. OASD(C) memorandum, 16 August 1973, subject: DoD  
Directive 5200.15 (Enclosure 2).

1. DoD Directive 5200.15 is the DoD implementation of DCID 1/7. The DoD Directive was published in 1962 as an unclassified document with the protective marking "FOR OFFICIAL USE ONLY." This Agency has been informed, reference b., above, of an Oklahoma Publishing Company request for public release of DoD 5200.15. Your attention is invited to the third paragraph of reference b. wherein it states the belief that DoD cannot legally withhold release of DoD Directive 5200.15 to the requestor.

2. This Agency has recommended to the originator of reference b. that DoD Directive 5200.15 be withheld from public release until DCID 1/7 can be reviewed by USIB for possible declassification.

3. Accordingly, it is requested that DCID 1/7 be reviewed for possible declassification.

FOR THE DIRECTOR:

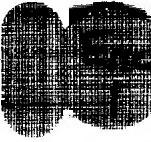
2 Enclosures a/s

Colonel, USA  
DIA Representative  
Security Committee

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July 26, 1962  
NUMBER 5200.15

ASD(M)

## Department of Defense Directive

SUBJECT Controlling the Dissemination and Use of Intelligence and Intelligence Information Produced by Members of the Intelligence Community

Reference: DoD Directive 5200.1, "Safeguarding Official Information in the Interests of the Defense of the United States"

### I. PURPOSE

This Directive authorizes the adoption by the Department of Defense of the marking system approved by the United States Intelligence Board (USIB) for use by its member organizations. The marking system controls the dissemination and use of intelligence and intelligence information produced by USIB member organizations (referred to hereinafter as the Intelligence Community).

### II. APPLICABILITY

The provisions of this Directive apply to DoD organizations in the Intelligence Community, and to other DoD organizations only when they are recipients of intelligence and intelligence information controlled under the marking system established herein. DoD organizations not in the Intelligence Community will continue to use markings established by the referenced directive above.

### III. DEFINITION

Intelligence Community includes the Central Intelligence Agency and all intelligence organizations of the Department of Defense, the Department of State, the Federal Bureau of Investigation, and the Atomic Energy Commission.

### IV. POLICY

- A. Intelligence documents will be marked and handled in accordance with the instructions set forth in Inclosure 1. Control markings prescribed herein will be used in lieu of any other markings serving a similar purpose.

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- B. Recipients of intelligence or intelligence information, whether they are in or out of the Intelligence Community, will adhere to the provisions of the markings.

V. IMPLEMENTATION

To insure uniformity within the intelligence component agencies of the DoD, the procedures and markings set forth in Inclosure 1 shall be repeated in implementing regulations without change, two copies of which shall be forwarded to the Assistant Secretary of Defense (Manpower) within sixty (60) days from the effective date of this Directive.

VI. EFFECTIVE DATE

This Directive is effective on issuance.

*Robert S. McNamara*

Secretary of Defense

Inclosure - 1

Controls for Dissemination and Use  
of Intelligence and Intelligence  
Information

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5200.15 (Rev. 1)

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CONTROLS FOR DISSEMINATION AND USE OF INTELLIGENCE  
AND INTELLIGENCE INFORMATION

1. The control, markings and procedures set forth below shall be utilized by an originating agency to restrict the internal dissemination and use of intelligence and intelligence information by a receiving agency, and to permit the dissemination of such information outside of the receiving agency. Such restrictive or permissive action shall be consonant with the protection of intelligence, intelligence information, and of intelligence sources and methods involved.

2. Whenever an originating department or agency deems it necessary to provide special controls for intelligence or intelligence information, either by virtue of the substance of the information itself or to provide additional protection of intelligence sources and methods, the appropriate control marking(s) set forth below shall be placed upon the document. Any document disseminated or used within or outside the intelligence community and bearing any of the control markings set forth in this Directive shall be controlled carefully by all recipients in strict conformity with the requirements of this Directive.

3. Intelligence Information

a. Use in Finished Intelligence

(1) In order to facilitate the maximum use of intelligence information, the intelligence components of the USIB give advance consent that classified intelligence information not bearing any control markings may be used in a classified finished intelligence document and disseminated as the producer of the finished intelligence deems appropriate and necessary which may include release to foreign governments.

(2) The information, however, must be paraphrased and used in the text in a manner which effectively conceals the originating agency, the source, the place and date acquired and the manner of acquisition; in addition, if disclosed to a foreign government, no reference shall be made to documents upon which the finished intelligence is based.

(3) Exceptions to paragraph 3 a (2) above may be arranged between interested agencies.

b. Other Uses

Intelligence information when quoted or extracted unless otherwise excepted may be used in digests, other documents and machine document storage systems provided control markings of the

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information, if any, and identification of source documents are reproduced with the information. Intelligence information so used shall not be released to foreign governments without the permission of the agency originating the information.

4. Under the conditions of paragraph 3 a (2) of this Directive, NSA has the advance consent of the intelligence components of USIB to use in its product, as deemed necessary, classified intelligence information not bearing any control markings, except certain CIA designated documents, and include it in release to foreign governments.

5. The following markings shall be used for the control of intelligence and intelligence information within the U.S. Government and to foreign nationals:

a. DISSEMINATION WITHIN THE U.S. GOVERNMENT

(1) WARNING NOTICE -- SENSITIVE SOURCES AND METHODS INVOLVED

This marking shall be employed in the absence of any other suitable marking to inform all recipients that the information is sensitive and requires special controls and a severely limited distribution. For the purpose of this marking, such intelligence is identified as that classified intelligence, the unauthorized disclosure of which could lead to counteraction (a) jeopardizing the continued productivity of intelligence sources or methods which provide intelligence vital to the national security or (b) offsetting the value of intelligence vital to the national security.

Document: The dissemination of the document shall be severely limited to those who have a clear need-to-know.

Use : The control marking must carry over onto any other document or publication in which the information is incorporated. All recipients, whether the information is furnished to them orally, visually or in writing, must be advised of the sensitivity of the information and the damaging effect to the national security if disclosed without authorization. The information shall not be disseminated outside of authorized channels or released publicly in any manner without the permission of the originating agency and an assessment by the appropriate Intelligence Chief as to the risks to the national security and to the methods involved.

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(2) CONTROLLED DISSEM

This marking shall be utilized where source protection, including the proprietary interests of commercial sources, would warrant limiting the dissemination of the document. This marking may also be applied for dissemination control purposes to assist in identifying that intelligence material which by category or classification is by USIB-approved policy and other directives prohibited from dissemination to contractors.

Document: The dissemination of the document shall be limited to civilian employees and active duty military personnel within the intelligence components of the USIB member agencies, and to those senior officials of the member agencies who must act upon the information. However, unless specifically controlled in accordance with paragraph 8 hereof the document may be released to those components of the departments and agencies of the U.S. Government directly participating in the production of National Intelligence. IT SHALL NOT BE DISSEMINATED TO CONTRACTORS. It shall not be disseminated to organizations or personnel, including consultants, under a contractual relationship to the U.S. Government without the written permission of the originator.

Use : The information may be used in classified finished intelligence without carrying over the control marking provided the requirements of 3 a (2) above are followed.

(3) NO DISSEM ABROAD

This marking shall be employed to preclude the dissemination of a document outside the States of the United States and the District of Columbia except as determined by the originator in order to satisfy special conditions.

Document: The document shall not be disseminated outside the States of the United States and the District of Columbia.

Use : The information may be used in classified finished intelligence without carrying over the control marking provided the requirements of paragraph 3 a (2) above are followed.

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(A) BACKGROUND USE ONLY

This marking shall be employed to preclude the inclusion of the information in any other document or publication. This marking is intended solely to control the use of the information.

Document: This marking does not affect the dissemination of the document.

Use : The information is not to be included in any other document or publication.

b. RELEASE TO FOREIGN GOVERNMENTS \*

The policy and procedures for the release of classified defense information to foreign governments are established by the Presidential Directive of 23 September 1958, "Basic Policy Governing the Release of Classified Defense Information to Foreign Governments," as revised 23 April 1960.

(1) Classified Intelligence Documents Not Bearing Control Markings

Document: Classified intelligence documents even though they bear no control markings shall not be released to foreign governments without the prior permission of the originating agency.

Use : Information contained in classified intelligence documents not bearing any control markings may be used in classified finished intelligence and released to foreign governments in accordance with paragraph 3 a of this Directive.

(2) When the originating agency predetermines that intelligence information must not be released in any form to foreign governments, the following marking shall be employed:

NO FOREIGN DISSEM

Document: The document must not be released to foreign governments.

\* No release of a classified intelligence document, whether or not bearing a control marking, shall be made to U.S. employed, utilized or integrated foreign nationals without the permission of the originating agency.



Use : The information must not be released in any form to foreign governments. The control marking must carry over on all documents and publications in which the information is incorporated.

6. Any recipient agency or department desiring to use, quote, extract, summarize, disseminate or release a document marked with a control in a manner contrary to the limitation of that control marking, must obtain the permission of the originating agency. Permission from the originating agency to utilize, in whole or part, any intelligence or intelligence information in a manner other than specified by the control markings applies only to the specific purpose of the requester and does not automatically apply to all recipients of the information as originally disseminated, unless the originating agency removes the control markings for the benefit of all recipients.

7. Nothing in this Directive shall supersede or augment the requirements on the control, use and dissemination of Restricted Data, Formerly Restricted Data, or special intelligence projects made by or under existing statutes, directives and Presidential policy. The control markings and procedures set forth above will not apply to information originated by the Federal Bureau of Investigation as that Bureau has established controls over the dissemination and use of its information. Further, these markings do not supersede special indicators or project designators utilized by the various departments and agencies for established distribution of material.

8. This Directive does not abrogate the control markings applied to documents prior to 21 August 1962 under authority of DCID No. 11/2 (approved 11/15/54). These markings are: NOT RELEASABLE TO FOREIGN NATIONALS, NO DISSEM ABROAD, NSC PARTICIPATING AGENCIES ONLY, INTELL COMPONENTS ONLY, LIMITED, CONTINUED CONTROL AND BACKGROUND USE ONLY. Any question concerning these markings shall, in conformance with paragraph 6, be referred to the originating agency.

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OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON, D. C. 20301

16 AUG 1973

COMINTS/SEC

MEMORANDUM FOR THE CHIEF, COUNTERINTELLIGENCE AND SECURITY DIVISION  
DEFENSE INTELLIGENCE AGENCY

SUBJECT: DoD Directive 5200.15, "Controlling the Dissemination and Use of Intelligence and Intelligence Information Produced by Members of the Intelligence Community"


A representative of the Oklahoma Publishing Company has requested that he be provided with a copy of DoD Directive 5200.15. This office is the nominal proponent of the Directive; however, the subject matter is under the cognizance of the Defense Intelligence Agency.

Although the Directive is marked, "For Official Use Only," it may be withheld from a requestor only if it qualifies under one or more of the express exemptions of the Freedom of Information Act (5 USC 552). These exemptions are set forth, with some amplification, in Section VIII of DoD Directive 5400.7, "Availability to the Public of Department of Defense Information."

In our view, none of the information contained in DoD Directive 5200.15 falls within any exemption which would permit the DoD to withhold release, and thus, the FOUO designation is without a legal basis and should be cancelled.

Please inform us whether you share our views on cancellation of the FOUO marking and release of the Directive. Should you object to cancellation of the marking and release, please provide us with your rationale.

In view of the limited time available for a final determination under the Freedom of Information Act, as implemented by Administrative Instruction No. 73, it would be appreciated if we could receive your reply on or before August 20, 1973.

  
Charles M. Trammell, Jr.

Director

Security Plans and Programs Directorate

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	UNCLASSIFIED		CONFIDENTIAL		SECRET
<b>OFFICIAL ROUTING SLIP</b>					
TO	NAME AND ADDRESS		DATE	INITIALS	
1	DD/P&M		6 SEP 1973		
2	D/Security		6 SEP 1973		
3	DD/Security		10 SEP 1973		
4					
5					
6	<i>R. Sherry</i>				
ACTION			DIRECT REPLY	PREPARE REPLY	
APPROVAL			DISPATCH	RECOMMENDATION	
COMMENT			FILE	RETURN	
CONCURRENCE			INFORMATION	SIGNATURE	
<b>Remarks:</b>  <p>This action requesting declassification of DCID 1/7 should have been sent to the USIB. However, since SECOM eventually would have received the requirement for declassification review, it is recommended that it be placed on the September Agenda.</p> <p style="text-align: center;"><i>Agree</i></p>					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
Approved For Release 2008/03/28 : CIA-RDP82M00591R000400010059-4 UNCLASSIFIED				SECRETARY/SECOM 9/6/73	
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